



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.                    | CONFIRMATION NO. |
|--|-------------|----------------------|--|------------------|
| 10/788,803   | 02/27/2004  | Shane Pearson        | BEAS-01366US0                          | 7861             |
| 23910  | 7590        | 12/12/2007           |  |                  |
| FLIESLER MEYER LLP<br>650 CALIFORNIA STREET<br>14TH FLOOR<br>SAN FRANCISCO, CA 94108 |             |                      | EXAMINER<br>PERUNGA VOOR, VENKATANARAY |                  |
|  |             |                      | ART UNIT                               | PAPER NUMBER     |
|  |             |                      | 2132                                   |                  |
|  |             |                      | MAIL DATE                              | DELIVERY MODE    |
|  |             |                      | 12/12/2007                             | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

AR

**Office Action Summary**

Application No.

10/788,803

Applicant(s)

PEARSON ET AL.

Examiner

Venkat Perungavoor

Art Unit

2132

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 November 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-55 and 57 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-55 and 57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/13/07</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments, see pages 10-15, filed 11/13/2007, with respect to the rejection(s) of claim(s) 1-57 under 35 USC § 102(e) as anticipated by US Patent 2004/0073475 A1 to Tupper have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of US Patent 2004/0125124 to Kim et al.(hereinafter Kim).

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-57 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 2004/0125124 to Kim.
2. Regarding Claim 1, 41, 57, Kim discloses the mapping the request to control tree in a logical representation of the GUI and the control tree includes a set of controls representing graphical and functional elements of GUI which are related hierarchically to one another see Fig. 2B; advancing the control tree through a one life cycle stage based on the request and

tree includes a portlet control that represents a portlet see Fig. 3; providing request to portlet container, the providing can be performed by the portlet control see Par. 0026 & Par. 112.

3. Regarding Claim 2, 17, 42, Kim discloses the generating tree from a factory based on the request see Par. 0015-0120.
4. Regarding Claim 3, 31, 43, Kim discloses the generating a response can be used to render a portion of response see Fig. 4.
5. Regarding Claim 4, 18, 44, Kim discloses the creating of metadata representation of tree and generating class construct based on metadata see Par. 0143.
6. Regarding Claim 5-6, 13, 19-20, 27, 32-33, 39, 45-46, 53, Tupper discloses the HTTP request and the web browser see Par. 0036
7. Regarding Claim 7-8, 21-22, 34, 47-48, Tupper discloses the updating of parameters and model development see Par. 0042
8. Regarding Claim 9-11, 23-26, 35-37, 49-51, Tupper discloses the rendering according to a theme, the communicating with another set of controls and advancing to lifecycle stage in parallel see Par. 0045

9. Regarding Claim 12, 14, 28, 38, 40, 52, 54, Tupper discloses the raise events, render, save state and unload and dispose see Fig. 11A-11D.
10. Regarding Claim 15, 29, 55, Tupper discloses the attributes of the GUI being displayed see Fig. 10B.
11. Regarding Claim 16, 56, Tupper discloses the mapping the request to control tree in a logical representation of the GUI and the control tree includes a set of controls representing graphical and functional elements of GUI which are related hierarchically to one another see Fig. 2B; advancing the control tree through a one life cycle stage based on the request and tree includes a portlet control that represents a portlet see Fig. 3; providing request to portlet container, the providing can be performed by the portlet control see Par. 0026 & Par. 112.; the generating a response can be used to render a portion of response see Fig. 4.
12. Regarding Claim 30, Tupper discloses the first container mapping the request to control tree in a logical representation of the GUI and the control tree includes a set of controls representing graphical and functional elements of GUI which are related hierarchically to one another see Fig. 2B; advancing the control tree through a one life cycle stage based on the request and tree includes a portlet control that represents a portlet see Fig. 3; providing request to portlet container, the providing can be performed by the portlet control see Par. 0026 & Par. 112.

*Conclusion*

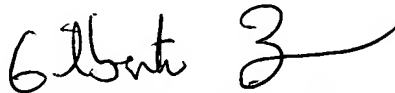
13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VP/  
Venkat Perungavoor  
Examiner  
Art Unit 2132  
December 7, 2007

  
GILBERTO BARRON JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100